

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BENNIE BELK and MARY BELK,
PLAINTIFFS,

VS.

MILLAR ELEVATOR SERVICE
COMPANY,
DEFENDANT.

CASE NO. 05-74383
HONORABLE ANN DIGGS TAYLOR
MAGISTRATE STEVEN D. PEPE

=====

Order Granting Defendant's Second Motion to Compel Discovery (Dkt. #21)

On October 24, 2006, Defendant filed its second motion to compel pertaining to a discovery request and notice of discovery only deposition duces tecum served on September 7, 2006. The motion seeks (a.) disclosures sought in the discovery request and required of Plaintiffs' expert's pursuant to Fed. R. Civ. P. 26; including an expert report, Curriculum Vitae and a list of other cases in which the expert has provided expert testimony at trial or deposition and (b.) a date for Plaintiffs' expert's deposition.

Plaintiffs were ordered to provide a response to this motion on or before October 27, 2006 (Dkt. #22). Plaintiffs have failed to respond.

Therefore, IT IS ORDERED that Defendant's motion is GRANTED and

(A.) Plaintiffs shall provide the requested information regarding their expert witness to Defendant on or before December 13, 2006, and

(B.) Plaintiffs' expert shall be made available for his discovery only deposition duces tecum on or before December 29, 2006.

Failure to put forth a good faith effort to comply with this order shall result in sanctions pursuant to Fed. R. Civ. P. 37 (b).

SO ORDERED

Dated: 28 November 2006
Ann Arbor, MI

s/Steven D. Pepe
United States Magistrate Judge

Certificate of Service

I hereby certify that on November 28, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Richard G. Brewer, John H. Heinrich, George E. Petersmarck, Jr., and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: not applicable.

s/ James P. Peltier
Courtroom Deputy Clerk
U.S. District Court
600 Church St.
Flint, MI 48502
810-341-7850
pete__peltier@mied.uscourts.gov